

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NATIONWIDE MUTUAL INSURANCE CO.,	:	CIVIL ACTION
	:	
Plaintiff	:	
	:	
vs.	:	
	:	
MAUREEN REPETTO DAILY, as Parent and	:	NO. 02-CV-4830
Natural Guardian of William Repetto, a Minor	:	
and	:	
MICHAEL DAILY	:	
	:	
Defendants	:	

ORDER

AND NOW, this _____ day of April 2003, upon consideration of Plaintiff Nationwide's Motion For a Protective Order, and Defendants' Counter-motion to Compel Discovery, For Sanctions Pursuant to F. R. Civ. P. 37, and to Extend Time For Discovery, and the responses thereto, it is hereby **ORDERED** and **DECREED** that:

- (1) Plaintiff's Motion for a Protective Order is **DENIED**;
- (2) Defendant's Motion to Compel is **GRANTED**. Plaintiff shall present the witnesses previously noticed by Defendant Michael Daily at a time convenient to all parties together with all documentation previously requested in the Notices of Deposition within ten (10) days of the date of this Order or risk further sanctions, including the preclusion of evidence at the time of trial;
- (3) Defendant's Motion for Sanctions is **GRANTED**. Sanctions are hereby imposed against Plaintiff for its failure to produce witnesses for deposition in the amount of \$1,740.00 to Defendant Michael Daily and to Defendant Maureen Repetto Daily in the amount of \$500.00. These sanctions shall be paid to counsel for the respective Defendants within thirty (30) days of the Court's Order; and

(4) Defendant's Motion to Extend the Time for Discovery is **GRANTED**. Discovery is extended until May 23, 2003 to allow Defendants the opportunity to complete discovery. There shall be no extension of time for discovery for Plaintiff.

BY THE COURT:

J.